

BOARD OF SUPERVISORS

MINUTES

August 11, 2004

Supervisors in Attendance:

Mr. Kelly E. Miller, Chairman
Mr. Edward B. Barber, Vice Chrm.
Mrs. Renny B. Humphrey
Mr. R. M. "Dickie" King, Jr.

Supervisor Absent:

Mr. Arthur S. Warren

Mr. Lane B. Ramsey
County Administrator

Staff in Attendance:

Ms. Marilyn Cole, Asst.
County Administrator
Ms. Rebecca Dickson, Dir.,
Budget and Management
Mr. James Dunn, Dir.,
Economic Development
Ms. Lisa Elko, CMC
Clerk
Mr. Donald Kappel, Dir.,
Public Affairs
Mr. Steven L. Micas,
County Attorney
Mr. Francis Pitaro, Dir.,
General Services
Mr. James J. L. Stegmaier,
Deputy Co. Admin.,
Management Services
Mr. M. D. Stith, Jr.,
Deputy Co. Admin.,
Community Development
Mr. Kirkland A. Turner,
Director of Planning

Mr. Miller called the special meeting to order at 1:08 p.m.
All five Board members signed a "Notice of the Meeting"
waiving any further notice.

1. CLOSED SESSION PURSUANT TO SECTION 2.2-3711(A)(3), CODE OF VIRGINIA, 1950, AS AMENDED, TO DISCUSS THE ACQUISITION OF REAL ESTATE FOR A PUBLIC PURPOSE WHERE DISCUSSION IN AN OPEN MEETING WOULD ADVERSELY AFFECT THE BARGAINING POSITION OF THE PUBLIC BODY

On motion of Mr. Barber, seconded by Mr. King, the Board went into Closed Session pursuant to Section 2.2-3711(A)(3), Code of Virginia, 1950, as amended, to discuss the acquisition of real estate for a public purpose where discussion in an open meeting would adversely affect the bargaining position of the public body.

Ayes: Miller, Barber, Humphrey and King.
Nays: None.
Absent: Warren.

Reconvening:

On motion of Mr. Barber, seconded by Mr. King, the Board adopted the following resolution:

WHEREAS, the Board of Supervisors has this day adjourned into Closed Session in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act effective July 1, 1989 provides for certification that such Closed Session was conducted in conformity with law.

NOW, THEREFORE BE IT RESOLVED, the Board of Supervisors does hereby certify that to the best of each member's knowledge, i) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the Closed Session to which this certification applies, and

ii) only such public business matters as were identified in the Motion by which the Closed Session was convened were heard, discussed, or considered by the Board. No member dissents from this certification.

The Board being polled, the vote was as follows:

Mr. Barber: Aye.
Mrs. Humphrey: Aye.
Mr. Miller: Aye.
Mr. McHale: Aye.
Mr. Warren: Absent.

On motion of Mr. Barber, seconded by Mr. King, the Board suspended its rules at this time to add an item to the agenda.

Ayes: Miller, Barber, Humphrey and King.
Nays: None.
Absent: Warren.

**1.A. PURCHASE OF CLOVERLEAF MALL AND RELATED PARCELS BY THE
CHESTERFIELD COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY**

Ms. Tara McGee, Assistant County Attorney, stated the actions being requested of the Board are: 1) to approve the terms of a real estate contract for the purchase of a portion of the property at the Cloverleaf Mall site by the Chesterfield County Industrial Development Authority; and 2) to transfer \$250,000 from the Reserve for Future Capital Projects account to the Industrial Development Authority to finance the payment of a nonrefundable deposit to accompany the real estate purchase contract. She further stated the contract of sale is for purchasing the mall buildings as well as three parcels of land at the mall site. She stated once the contract of sale is accepted by Cloverleaf Properties, Incorporated, the \$250,000 deposit would be sent. She noted closing on the property would not occur for 60 days and would be subject to further investigation by county staff relative to the purchase.

Mr. Ramsey stated staff recommends that the Board approve the purchase contract.

On motion of Mr. Barber, seconded by Mrs. Humphrey, the Board approved the terms of the real estate contract for the

purchase of a portion of the property at Cloverleaf Mall by the Chesterfield County Industrial Development Authority; and transferred \$250,000 from the Reserve for Future Capital Projects account to the Industrial Development Authority of Chesterfield County to finance payment of a nonrefundable deposit to accompany the real estate purchase contract for the acquisition of a portion of the property at Cloverleaf Mall.

Ayes: Miller, Barber, Humphrey and King.
Nays: None.
Absent: Warren.

2. ADJOURNMENT

On motion of Mr. Barber, seconded by Mr. King, the Board adjourned at 2:32 p.m. until August 25, 2004 at 3:00 p.m.

Ayes: Miller, Barber, Humphrey and King.
Nays: None.
Absent: Warren.

Lane B. Ramsey
County Administrator

Kelly E. Miller
Chairman